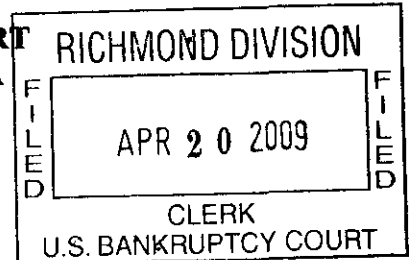


IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION



In re:) Chapter 11
)
CIRCUIT CITY STORES, INC.,) Case No. 08-35653 (KRH)
) (Jointly Administered)
Debtor.)
) Hon. Kevin R. Huennekens

MOTION OF FORECAST DANBURY LIMITED PARTNERSHIP FOR (I) ALLOWANCE OF ADMINISTRATIVE CLAIM PURSUANT TO 11 U.S.C. §§ 365(d)(3), 503(b), AND 507(a)(2) AND; (II) TO COMPEL IMMEDIATE PAYMENT OF POST-PETITION REAL ESTATE TAX AND MAINTENANCE OBLIGATIONS PURSUANT TO 11 U.S.C. § 365(d)(3)

Forecast Danbury Limited Partnership ("Forecast Danbury") hereby files this request for allowance of administrative expense obligations pursuant to 11 U.S.C. §§ 365(d)(3), 503(b), and 507(a)(2) with respect to claims arising under a nonresidential real property lease (the "Lease") between Forecast Danbury, as lessor, and the above-captioned debtor (the "Debtor"), as lessee, and to compel immediate payment of post-petition real estate tax and maintenance obligations pursuant to § 365(d)(3). In support of this Motion, Forecast Danbury respectfully represents in support thereof as follows:

BACKGROUND

1. On November 10, 2008 (the "Petition Date"), the Debtor filed a voluntary petition pursuant to Chapter 11 of the Title 11 of the United States Code (the "Bankruptcy Code").
2. Since the Petition Date, the Debtor has continued in the operation of its business and management of its properties as a debtor-in-possession pursuant to Sections §§ 1107 and 1108 of the Bankruptcy Code.

8. Section 365(d)(3) of the Bankruptcy Code requires a debtor to timely perform all of its obligations under its leases. As noted by the invoices attached in Exhibit B, the Debtor's obligation to make payment for the Pre-Rejection Period expenses did not arise until after the Petition Date. The Court's Memorandum Opinion dated February 12, 2009, regarding when the Debtor must pay "stub rent" is also instructive as to the issue of whether applicable taxes and other obligations under a lease must be paid immediately. If the due date for a lease obligation occurs post-petition, then the debtor is obligated to pay on the due date with respect to the portion of the obligation that accrued after the Petition Date. See, Opinion at p. 12.

CONCLUSION

9. For the foregoing reasons, Forecast Danbury is entitled to the allowance of an administrative expense claim in the amount of \$49,121.00, as reflected in the foregoing calculations, for rent and charges billed pre-petition but allocable to the post-petition period.

10. Forecast Danbury is also entitled to immediate payment of \$79,278.30 as reflected in the foregoing calculations for obligations accruing and payable during the post-petition Pre-Rejection Period.

11. Forecast Danbury is continuing to evaluate the condition of the Leasehold Premises as well as other amounts due under the Lease and therefore reserves the right to supplement and amend this Motion.

Exhibit A



FOREST
Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

Circuit City Stores, Inc.
9950 Mayland Drive
Richmond, VA 23233-1464

REVISED

RE: 110 Federal Road, Danbury CT. **Store #3668**

To invoice you for Property Insurance for **Post Petition Period 11/10/08-3/31/09**
pursuant to your lease for your premises located at 110 Federal Road, Danbury CT

Total Property Insurance 6/29/08-6/29/09	<u>\$3,000.00</u>
Tenant's Percentage of Property 30,010 / 61,115 sq. ft	<u>49.10%</u>
Tenant's Share of Expense	\$1,473.12
Percentage of Days Occupied - Post Petition Period 141 days/ 365 days total billing (11/10/08-3/31/09)	<u>38.63%</u>
Total Due:	\$569.07
Administrative Fee -7%	\$39.83
TOTAL DUE	\$608.90

Please Pay Upon Receipt

Post
Detention

Knapp, Schenck & Company
Insurance
Mailing Address
P.O. Box 51310 Boston, MA 02205

Forecast Danbury LP
FD Holding Corp

C/O Forest Properties Management Inc
19 Needham St.,
Newton Highlands, MA 02461

INVOICE

Invoice Date	Invoice Number
7/9/08	53698
Customer Number	Agency Contact
020804	Kimberly Cybulski

AMOUNT ENCLOSED \$ _____

DETACH AND RETURN THIS PORTION WITH REMITTANCE TO: KNAPP, SCHENCK & COMPANY P O BOX 51310, BOSTON, MA 02205

TRANSACTION DATE	POLICY NUMBER	INSURANCE COMPANY	EFFECTIVE DATE	EXPIRATION DATE
7/9/08	See Below	See Below	6/29/08	6/29/09

DESCRIPTION (REFER TO POLICY BINDER FOR DETAILS) AMOUNT

POLICIES	INSURANCE CO.	POLICY NUMBER	AMOUNT
Property & Boiler	Travelers	KTQCMB4160M435	\$3,000.00
G.L.	Travelers	6301023A123	Included
Umbrella	Chubb	7943383	Included
Terrorism	Travelers	Included	Included
Location: 110 Federal Rd & 168 & 170 Old Brookfield Rd., Danbury, CT			
Note: Amounts due are annual premiums for term listed above.			

KNAPP, SCHENCK & COMPANY 137 LEWIS WHARF, BOSTON, MA 02110
(617) 742-3366

Amount Due.	\$3,000.00
-------------	------------

(B)



FOREST

Properties.

Management,
INC.

Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

Fed K 1/31/09
Property Tax Supr
9950 Maynard
Richmond VA

23242

January 30, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

Enclosed is the Real Estate Tax invoice for the **Second Quarter 2009**

Second Quarter 2009 consists of 92 days total (October 1, 2008 - December 31, 2008)
Circuit City should have paid for 52 days, payment for 30 days was received.

\$6,498.10

Please remit payment within 30 days to :

Forecast Danbury L.P.
c/o Forest Properties Management
19 Needham Street
Newton, MA 02161
Attn: Lynette Franciose

If you have any questions regarding this invoice do not hesitate to call
me at (617)-630-9566

Sincerely,

A handwritten signature in black ink, appearing to read "Lynette Franciose", written over a horizontal line.

Lynette M. Franciose
Commercial Property Manager

(2)



FOREST

Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

January 30, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

RE: Danbury, CT 110 Federal Road Store # 3668

To invoice you for Real Estate Tax Escalation pursuant to your
lease for your premises located at 110 Federal Road, Danbury CT
for the **Second Quarter 2009- Post Petition Date 11/10/08-12/31/08**

Total Real Estate Tax Expense	\$58,014.84
Tenant's Percentage of Property 30,010/ 61,115 sq. ft.	<u>49.07%</u>
Tenant's Share of Real Estate Expense	\$28,467.88
Percentage of Days Occupied (52 days of Post Petition) (November 11, 2008 - December 31, 2008)	<u>56.52%</u>
Total Real Estate Tax due:	\$16,090.64

Please Remit to: Forecast Danbury L.P.
c/o Forest Properties Management, Inc.
19 Needham Street
Newton, MA 02461

Please remit within 30 days



FOREST
Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

April 15, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

RE: Danbury, CT 110 Federal Road Store # 3668

To invoice you for Real Estate Tax Escalation pursuant to your
lease for your premises located at 110 Federal Road, Danbury CT
for the **Third Quarter 2009- Post Petition Date 11/10/08-3/31/09**

Total Real Estate Tax Expense	\$58,014.84
Tenant's Percentage of Property 30,010/ 61,115 sq. ft.	<u>49.07%</u>
Tenant's Share of Real Estate Expense	\$28,467.88
Percentage of Days Occupied	<u>100%</u>
(Third Quarter = January 1, 2009 - March 31, 2009)	
Total Real Estate Tax due:	\$28,467.88

Please Remit to: Forecast Danbury L.P.
c/o Forest Properties Management, Inc.
19 Needham Street
Newton, MA 02461

Please remit within 30 days



FOREST
Properties.
Management,
INC.

Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

April 15, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

Enclosed is the Real Estate Tax invoice for the **Revised Third Quarter 2009**

Third Quarter 2009 (January 1, 2009- March-31, 2009)

The Amount Due is: **\$28,467.88**

Please remit payment within 30 days to :

Forecast Danbury L.P.
c/o Forest Properties Management
19 Needham Street
Newton, MA 02161
Attn: Lynette Franciose

If you have any questions regarding this invoice do not hesitate to call
me at (617)-630-9566

Sincerely,


Lynette M. Franciose
Commercial Property Manager



FOREST
Properties.
Management,
INC.

Newton Highlands, MA 02461 617-630-9566 fax 617-964-0003

November 1, 2008

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

RE: Danbury, CT 110 Federal Road Store # 3668

1003-1203

- 1 Enclosed is the Real Estate Tax invoice for the **Second Quarter 2009**
for the above referenced store. The amount due is: **\$28,467.88** ✓
All documentation is attached.

Please remit payment within 30 days to :

Forecast Danbury L.P.
c/o Forest Properties Management
19 Needham Street
Newton MA 02161
Attn: Lynette Franciose

If you have any questions regarding this invoice do not hesitate to call
me at (617)-630-9566

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynette Franciose".

Lynette M. Franciose
Commercial Property Manager

②

INV DATE	INV NUMBER	AMOUNT	BATCH - VOUCHER	INV DATE	INV NUMBER	AMOUNT	BATCH - VOUCHER
01/07/09	18105	9,592.44	05116020				
CHECK NUMBER: 0004597899				VENDOR NUMBER: 0001023148		CHECK TOTALS: ****\$9,592.44	

**CIRCUIT
CITY®**

CIRCUIT CITY STORES, INC. (SO)
9950 MAYLAND DRIVE
RICHMOND, VA 23233
(804) 418-8148
VENDOR NUMBER: 0001023148

SUNTRUST BANK
ATLANTA, GEORGIA

6-79
6-11

CHECK NUMBER
0004597899

PAY Nine thousand five hundred ninety two and 44/100 Dollars

PAY EXACTLY

*****\$9,592.44

TO THE FORECAST DANBURY LIMITED PTNSP
ORDER C/O FORREST PROPERTIES MNGMT
OF 19 NEEDHAM ST
NEWTON, MA 02161

DATE: 01/28/09

VENDOR OVERSIGHT
CDA NUMBER 8800606660

BL 1
VENDOR OVER \$500,000.00

⑈004597899⑈ ⑆061100790⑆ 8800606660⑈

CIRCUIT CITY STORES, INC.
9950 MAYLAND DRIVE
RICHMOND, VA 23233
Attn.: EXPENSE PAYABLES

FORECAST DANBURY LIMITED PTNSP
C/O FORREST PROPERTIES MNGMT
19 NEEDHAM ST
NEWTON, MA 02161

Questions on invoice status,
account balance, or payment
information? Please call our
vendor hotline at 804-418-8148

TX SU 000041XYZB
0004597899

(5)



January 20th, 2009

**SUBJECT: Circuit City Stores, Inc. and affiliated debtors
Chapter 11 Bankruptcy – Lead Case Number 08-35653
Notice of partial-payment of post-petition tax**

To Whom It May Concern:

Please be advised that on November 10, 2008 (the "Petition Date"), Circuit City Stores, Inc. and 17 affiliated debtors (the "Debtors") filed voluntary petitions for relief under chapter 11 of title 11 of the United States Bankruptcy Code in the Bankruptcy Court of the Eastern District of Virginia (the "Bankruptcy Court").

All or part of the real estate tax bill which we have received has been classified as a "pre petition" obligation. Generally the Debtors are not allowed to make payments based on pre petition liabilities. However, a payment for the "post petition" period can be paid by Circuit City Stores, Inc. Enclosed, please find a check for the amount calculated for the "post-petition" period.

You have or will receive an official notice of the Debtor's Chapter 11 filing as well as subsequent notices. These notices will include instructions on how to file a claim for any "pre petition" amounts owing that have not been paid. Additional information is also available on the Debtor's noticing agent's website at www.kcdlc.com.

If you have any questions, please contact us at: 804-486-2265 or by email at: Property_Tax@circuitcity.com.

Respectfully submitted,

Circuit City Stores, Inc.
Tax Department

Enc: Payment Check

Handwritten signature
Handwritten text

(6)

Exhibit B



FOREST

Properties.
Management,
INC.

Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

FILE

March 10, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

Enclosed is the Real Estate Tax invoice for the **Third Quarter 2009**

Third Quarter 2009 consists of 69 days total (January 1, 2009- March 10, 2009)

The Amount Due is: **\$21,825.38**

Please remit payment within 30 days to :

Forecast Danbury L.P.
c/o Forest Properties Management
19 Needham Street
Newton, MA 02161
Attn: Lynette Franciose

If you have any questions regarding this invoice do not hesitate to call me at (617)-630-9566

Sincerely,

A handwritten signature in black ink, appearing to read "Lynette M. Franciose". The signature is fluid and cursive, with the first name being the most prominent.

Lynette M. Franciose
Commercial Property Manager



FOREST
Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

March 10, 2009

Circuit City Stores, Inc.
PO Box 42304
Richmond, VA 23242
Property Tax Supervisor

RE: Danbury, CT 110 Federal Road Store # 3668

To invoice you for Real Estate Tax Escalation pursuant to your
lease for your premises located at 110 Federal Road, Danbury CT
for the **Third Quarter 2009- Post Petition Date 11/10/08-3/10/09**

Total Real Estate Tax Expense	\$58,014.84
Tenant's Percentage of Property 30,010/ 61,115 sq. ft.	<u>49.07%</u>
Tenant's Share of Real Estate Expense	\$28,467.88
Percentage of Days Occupied (69 days of Post Petition) (January 1, 2009 - March 10, 2009)	<u>77%</u>
Total Real Estate Tax due:	\$21,825.38

Please Remit to: Forecast Danbury L.P.
c/o Forest Properties Management, Inc.
19 Needham Street
Newton, MA 02461

Please remit within 30 days

(2)

City of Danbury

DANBURY BOWLARAMA CORP
C/O FOREST PROPERTIES MANG.
19 NEEDHAM ST
NEWTON MA 02461-1624

Lot Number: L09017-
Assessor ID: 104914
List Number: 237231
Escrow Code: 34A
Property Location:
80 FEDERAL RD

Prepared: 6/19/2008

Gross Assessment	Exemption	Net Assessment	Tax Rate	Credit	Tax
8,636,700		8,451,630	.021350		180,442.32

This is not a bill. We submitted your taxes to your bank or mortgage holder for payment from the monies you have escrowed with them. Shown above is your current tax obligation.

Distribution of your taxes

General Government	7,217.69	0.00	
Public Safety	27,607.67		
Public Works	9,743.89		0.00 *
Health/Housing	1,623.98		
Public Welfare	1,443.54		
Education	92,025.58	180,442.32	÷
Libraries	2,345.75		4. =
Recreation	721.77		
Recurring Costs	24,901.04	45,110.58	
Debt Service/General	7,759.02		
Debt Service/School	3,969.73		
Capital	.00	0.00	
Transportation	541.33		0.00 *
Contingency Accounts	541.33		
	180,442.32		

We estimate that we will receive \$32,583,218 from the state. Without this money, the tax rate would have been .02520. If you have any questions about your assessment or exemptions, telephone the Tax Assessor's Office at 203-797-4556. If you have any questions about your tax obligation, contact the Tax Collector's Office at 203-797-4541. If you have questions about your escrow account, telephone your bank or mortgage holder directly. Most general questions are answered on the Internet, go to the FAQ section at:

www.danbury-ct.gov

In accordance with state law, school expenditures are made without the approval of the Mayor or Common Council. The Board of Education has the sole authority for determining educational spending priorities.

Thank you for your support of our municipality, our progress, and our quality of life.

Sincerely yours,
Scott M Ferguson, Tax Collector

Office of the Tax Collector
155 Deer Hill Ave. • Danbury, CT 06810 • 203-797-4541

10

City of Danbury

Lot Number: L09001-
List Number: 237181
Property Location: FEDERAL RD
Assessor ID: 104915
Escrow Code: 34A

DANBURY BOWLARAMA CORP
C/O FOREST PROPERTIES MANG.
19 NEEDHAM ST
NEWTON MA 02461-1624

Prepared: 6/19/2008

Gross Assessment	Exemption	Net Assessment	Tax Rate	Credit	Tax
2,470,600		2,417,660	.021350		51,617.04

This is not a bill. We submitted your taxes to your bank or mortgage holder for payment from the monies you have escrowed with them. Shown above is your current tax obligation.

Distribution of your taxes

General Government	2,064.68		0.00	*
Public Safety	7,897.41			
Public Works	2,787.32			
Health/Housing	464.55	000		
Public Welfare	412.94		0.00	*
Education	26,324.69			
Libraries	671.02			
Recreation	206.47			
Recurring Costs	7,123.15	51,617.04		÷
Debt Service/General	2,219.53		4.	=
Debt Service/School	1,135.57	12,904.26		
Capital	.00			
Transportation	154.85			
Contingency Accounts	154.86	000		
	51,617.04		0.00	*

We estimate that we will receive \$32,583,218 from the state. Without would have been .02520. If you have any questions about your telephone the Tax Assessor's Office at 203-797-4556. If you have any obligation, contact the Tax Collector's Office at 203-797-4541. If you escrow account, telephone your bank or mortgage holder directly. More information answered on the Internet, go to the FAQ section at:

www.danbury-ct.gov

In accordance with state law, school expenditures are made without the approval of the Mayor or Common Council. The Board of Education has the sole authority for determining educational spending priorities.

Thank you for your support of our municipality, our progress, and our quality of life.

Sincerely yours,
Scott M Ferguson, Tax Collector

Office of the Tax Collector

11

de



FOREST

Properties.

Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

Circuit City Stores, Inc.
9950 Mayland Drive
Richmond, VA 23233-1464

3/19/2009

REVISED

RE: 110 Federal Road, Danbury CT. Store #3668

To invoice you for Water and Sewer for Post Petition Period 11/10/08-2/6/09
pursuant to your lease for your premises located at 110 Federal Road, Danbury CT

Total Water & Sewer for 10/21/08-2/6/09 \$4,023.23

Tenant's Percentage of Property 30,010 / 61,115 sq. ft 49.10%

Tenant's Share of Expense \$1,975.57

Percentage of Days Occupied -Post Petition Period 81.48%
88 days/ 108 days total billing (11/10/08-2/6/09)

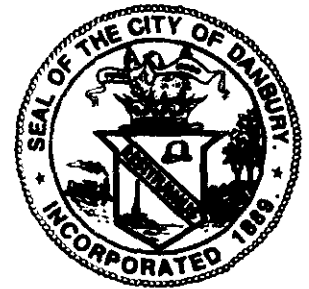
Total Due: \$1,609.73

TOTAL DUE	\$1,609.73
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Please Pay Upon Receipt

14

City of Danbury Utility Bill



SERVICE ADDRESS

80 FEDERAL RD

ACCOUNT NUMBER	CYCLE	BILL DATE	PAY BY DATE
20405-237231	09-03	3/01/09	4/01/09

DANBURY BOWLARAMA CORP
19 NEEDHAM ST
NEWTON MA 02461-1624

Make Checks Payable To:
Tax Collector, City of Danbury
PO Box 237
Danbury, CT 06813

Current Charges: 4,023.23
Past Due Balance: 431.10-

Total Amount Due 3,592.13

RETURN THIS PORTION WITH PAYMENT

15

Rate Class: COMMERCIAL

80 FEDERAL RD

SERVICE ADDRESS

Last Bill Amount: 3,099.71
Payments: 3,623.80
Adjustments: 92.99
Past Due Balance: 431.10-

ACCOUNT NUMBER	CYCLE	BILL DATE	PAY BY DATE
20405-237231	09-03	3/01/09	4/01/09

Last Payment Amount: 3,623.80
Last Payment Date: 1/14/09

Service Period	Days	Meter Number	Mult	Units	Current	Previous	Usage
FL 10/21/08	2/06/09	108	23065513	1.000 MGAL	120	120	0
WA 10/21/08	2/06/09	108	23124301	1.000 TGAL	687	656	310

Service	Consumption	Charge	Total
WA USAGE OF FIRST 15 MG	15.00	158.95	
WA USAGE OVER 15 MG	15.00	48.45	
WA USAGE OVER 30 MG	45.00	167.85	
WA USAGE OVER 75 MG	235.00	987.00	
TOTAL WATER			1,362.25
SW O&M - 90%/WA @ \$2.11	279.00	588.69	
SW DEBT- 90%/WA @ \$6.05	279.00	1,687.95	
TOTAL SEWER			2,276.64
FL 8 IN FIRE LINE	11/30/08 2/28/09	384.34	384.34

Total Current Charges 4,023.23
Past Due Balance 431.10-
Total Amount Due 3,592.13

Please note: Interest on past due balance is calculated through FEBRUARY. Any additional interest accrued will be included on your next bill. Call the Tax Office for current amount due.

FULL PAYMENT OF ACCOUNT MUST BE IN THE TAX OFFICE BY 6:30PM ON 04/30/09 OR LIENS WILL BE FILED. ANY QUESTIONS? PLEASE CALL TAX OFFICE.

Average cost per day 37.25

Credit Card Payments:

Now you can enjoy the convenience and flexibility of using your credit card to pay for your utility bill. Accepted credit cards include: American Express, Visa, MasterCard, or Discover/Novis

To make payment by telephone call:

1 800 2PAY-TAX Jurisdiction Code 1743
1 800 272-9829 Account Number 20405

To make payment on the Internet go to: www.danbury-ct.gov

15



FOREST
Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

INVOICE

Circuit City Stores, Inc.
9950 Mayland Drive
Richmond, VA 23233-1464

4/15/2009

RE: 110 Federal Road, Danbury CT. Store #3668

To invoice you for CAM Expenses for the period of 1/1/09-3/31/09

Snow Removal for 1/7/09-1/28/09	\$8,612.50
Snow Removal for 2/1/09-2/28/09	\$1,722.50
Snow Removal for 3/1/09-3/2/09	\$2,978.60
Debris Removal -Mister Trash	\$400.00
Parking Lot Cleaning 2/1/09-2/28/09	\$1,272.00
Parking Lot Cleaning 3/1/09-3/31/09	\$1,272.00

TOTAL CHARGES **\$16,257.60**

Tenant's Percentage of Property 30,010 / 61,115 sq. ft 49.10%

Tenant's Share of Expense **\$7,983.16**

Administrative Fee -7% **\$ 558.82**

TOTAL DUE	\$8,541.98
------------------	-------------------

Please Pay Upon Receipt



FOREST

Properties.
Management, Inc.

19 Needham Street, Newton Highlands, MA 02461 617-630-9566 Fax 617-964-0003

FILE

INVOICE

Circuit City Stores, Inc.
9950 Mayland Drive
Richmond, VA 23233-1464

3/13/2009

RE: 110 Federal Road, Danbury CT. Store #3668

To invoice you for CAM Expenses for the period of 1/1/09-3/10/09

Snow Removal for 1/7/09-1/28/09	\$8,612.50
Snow Removal for 2/1/09-2/28/09	\$1,722.50
Snow Removal for 3/1/09-3/2/09	\$2,978.60
Debris Removal -Mister Trash	\$400.00
Parking Lot Cleaning 2/1/09-2/28/09	\$1,272.00
Parking Lot Cleaning 3/1/09-3/10/09 (Prorated for Days occupied)	\$624.55

TOTAL CHARGES **\$15,610.15**

Tenant's Percentage of Property 30,010 / 61,115 sq. ft 49.10%

Tenant's Share of Expense \$7,665.23

Administrative Fee -7% \$ 536.57

TOTAL DUE	\$8,201.80
------------------	-------------------

Please Pay Upon Receipt

16



YARDAPES, INC.
 COMPLETE ESTATE MAINTENANCE
 P O BOX 982
 NEW MILFORD, CT 06776
860-350-APES

Invoice

DATE	INVOICE #
Jan-31-2009	12361

BILL TO

Forecast Danbury LP
 19 Needham St
 Newton, MA 02461

P.O. NUMBER	TERMS	PROJECT
-------------	-------	---------

DUE UPON RECEIPT

QUANTITY		DESCRIPTION	RATE	AMOUNT
1.00	Jan-07-2009	Snow Plowing & Sanding/Salting 0" - 6" plowing & De-icing of Roadways & Walks	\$1,300.00	\$1,300.00
1.00	Jan-07-2009	Snow Plowing & Sanding/Salting	\$0.00	\$0.00
1.00	Jan-08-2009	Snow Plowing & Sanding/Salting De-Icing Application	\$325.00	\$325.00
1.00	Jan-10-2009	Snow Plowing & Sanding/Salting 0"-9" & De-icing of Parking Lot & Walkways	\$1,300.00	\$1,300.00
1.00	Jan-11-2009	Snow Plowing & Sanding/Salting	\$0.00	\$0.00
1.00	Jan-15-2009	Snow Plowing & Sanding/Salting 0" - 6" & De - icing Applicaiton	\$1,300.00	\$1,300.00
1.00	Jan-18-2009	Snow Plowing & Sanding/Salting 0" - 6" & De-icing application	\$1,300.00	\$1,300.00
1.00	Jan-19-2009	Snow Plowing & Sanding/Salting 0" - 6" storm	\$975.00	\$975.00
1.00	Jan-28-2009	Snow Plowing & Sanding/Salting 0 - 6 & De-icing application	\$1,300.00	\$1,300.00
1.00	Jan-28-2009	Snow Plowing & Sanding/Salting	\$0.00	\$0.00

REFER A FRIEND OR NEIGHBOR AND SAVE \$50!

Sub Total: \$8,125.00
 Sales Tax: \$487.50
TOTAL: \$8,612.50

We accept:



A finance charge of 2% per month (an annual percentage rate of 24%) will be assessed to the average daily balance basis for all items over 30 days.

(17)



YARDAPES, INC.
COMPLETE ESTATE MAINTENANCE
P O BOX 982
NEW MILFORD CT 06776
860-350-APES

Invoice

DATE	INVOICE #
Jan-31-2009	12361

BILL TO

Forecast Danbury LP
19 Needham St
Newton, MA 02461

P O NUMBER	TERMS	PROJECT
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DUE UPON RECEIPT

QUANTITY		DESCRIPTION	RATE	AMOUNT
1.00	Jan-29-2009	Snow Plowing & Sanding/Salting De-icing application	\$325.00	\$325.00

REFER A FRIEND OR NEIGHBOR AND SAVE \$50!

Sub Total: \$8,125.00
Sales Tax: \$487.50
TOTAL: \$8,612.50

We accept:



A finance charge of 1% per month (an annual percentage rate of 12%) will be assessed to the overdue daily balance here. For all items over 90 days.

(16)



YARDAPES, INC.
COMPLETE ESTATE MAINTENANCE
P O BOX 982
NEW MILFORD, CT 06776
860-350-APES

Invoice

DATE	INVOICE #
Feb-28-2009	12546

BILL TO

Forecast Danbury LP
19 Needham St
Newton, MA 02461

P.O. NUMBER	TERMS	PROJECT
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DUE UPON RECEIPT

QUANTITY	DESCRIPTION	RATE	AMOUNT
1.00	Feb-03-2009 Snow Plowing & Sanding/Salting	\$975.00	\$975.00
1.00	Feb-03-2009 Snow Plowing & Sanding/Salting	\$0.00	\$0.00
1.00	Feb-04-2009 Snow Plowing & Sanding/Salting De - icing application	\$325.00	\$325.00
1.00	Feb-04-2009 Snow Plowing & Sanding/Salting	\$0.00	\$0.00
1.00	Feb-20-2009 Snow Plowing & Sanding/Salting De-icing application	\$325.00	\$325.00

REDUCE TICK POPULATIONS & LYME DISEASE, CALL US FOR DETAILS!

Sub Total: \$1,625.00
Sales Tax: \$97.50
TOTAL: \$1,722.50

We accept:



19

Mar-11-2009 12676

Forecast Danbury LP
19 Needham St
Newton, MA 02461

DUE UPON RECEIPT

1.00	Mar-02-2009	Snow Plowing & Sanding/Salting 9 - 12 storm & De-icing application	\$2,485.00	\$2,485.00
1.00	Mar-03-2009	Snow Plowing & Sanding/Salting De - icing application	\$325.00	\$325.00

THANK YOU FOR CHOOSING YARDAPES!

Sub Total: \$2,810.00
Sales Tax: \$168.60
TOTAL: \$2,978.60



Mar-18-2009

12681

Forecast Danbury LP

19 Needham St

Newton, MA 02461

DUE UPON RECEIPT

1.00	Feb-01-2009	Monthly Installment: Parking Lot Clean-up	\$1,200.00	\$1,200.00
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THANK YOU FOR CHOOSING YARDAPES!

Sub Total: \$1,200.00

Sales Tax: \$72.00

TOTAL: \$1,272.00

(22)

Mar-18-2009

12682

Forecast Danbury LP

19 Needham St
Newton, MA 02461

DUE UPON RECEIPT

1.00	Mar-01-2009	Monthly Installment: Parking Lot Clean-up	\$1,200.00	\$1,200.00
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THANK YOU FOR CHOOSING YARDAPES!

Sub Total:	\$1,200.00
Sales Tax:	\$72.00
TOTAL:	\$1,272.00

(83)

WHEREFORE, Forecast Danbury, Limited Partnership, respectfully requests the entry of an order pursuant to 11 U.S.C. §§ 365(d)(3), 503(b), and 507(a)(2) allowing: (i) as an administrative expense obligation against the Debtor's estate a claim in the amount of \$49,121.00; and (ii) compelling immediate payment of \$79,278.30 for obligations accruing during post-petition Pre-Rejection Period pursuant to 11 U.S.C. 365(d)(3), together with such other and further relief as is just and proper.

Dated: April 15, 2009

Respectfully submitted,
FORECAST DANBURY, LP
110 Federal Road
Danbury, Connecticut

By: FOHolding Corp., GPR

Title: Julien, president

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC.,)	Case No. 08-35653 (KRH)
)	(Jointly Administered)
Debtor.)	
)	Hon. Kevin R. Huennekens

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Request of Forecast Danbury, Limited Partnership (I) For Administrative Claim Pursuant to 11 U.S.C. §§ 365(d)(3), 503(b), and 507(a) and ; (II) To Compel Payment of Post-Petition Real Estate Taxes and Maintenance Obligations was served via first-class mail, postage prepaid, or served electronically via the CM/ECF system, this 15 day of April, 2009 to the following:

Daniel F. Blanks, Esquire
McGuire Woods LLP 9000
World Trade Center 101 W.
Main St.
Norfolk, VA 23510

Gregg M. Galardi, Esquire
Skadden Arps Slate Meagher &
Flom LLP
One Rodney Square
PO Box 636
Wilmington, DE 19899

Robert V. Van Arsdale Office
of the U.S. Trustee 701 East
Broad Street Suite 4303
Richmond, VA 23219

Alan J. Kornfeld, Esquire
Pachulski Stang Ziehl & Jones, LLP
10100 Santa Monica Blvd.
11th Floor
Los Angeles, CA 90067-4100
Lynn L. Tavenner, Esquire Tavenner & Beran, PLC
20 North Eighth Street Second Floor
Richmond, VA 232

FORECAST DANBURY, LP
110 Federal Road
Danbury, Connecticut

By: FD Holding Corp, GPR

Title: Julia Stru, president

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re)	
)	Chapter 11
CIRCUIT CITY STORES, INC., et al.)	Case No. 08-35653-KRH
)	Jointly Administered
Debtors.)	Hon. Kevin R. Huennekens

**ORDER ALLOWING MOTION OF FORECAST DANBURY (I) FOR ALLOWANCE OF
ADMINISTRATIVE EXPENSES PURSUANT TO 11 U.S.C. §§ 365(d)(3), 503(b) AND
507(a)(2) AND (II) TO COMPEL IMMEDIATE PAYMENT OF POST-PETITION REAL
ESTATE TAX AND MAINTENANCE OBLIGATIONS PURSUANT TO 11 U.S.C. §
365(d)(3)**

Upon the Motion of Forecast Danbury, Limited Partnership (I) For Allowance of Administrative Claim Pursuant to 11 U.S.C. §§ 365(d)(3), 503(b), and 507(a)(2) and; (II) To Compel Payment of Post-Petition Real Estate Taxes and Maintenance Obligations Pursuant to 11 U.S.C. § 365(d)(3) (the "Motion"); and the Court having reviewed the Application, and any Opposition thereto, and the Court having determined that the relief requested in the Application should be granted as set forth herein; and it appearing that proper and adequate notice of the Motion has been given and no further notice is necessary; and upon the record herein; after due deliberations thereon; and good and sufficient cause appearing therefor; it is hereby:

ORDERED, ADJUDGED AND DECREED:

1. The Motion is granted; and
2. Forecast Danbury Limited Partnership shall have and hereby has an allowed administrative expense in the amount of forty-nine thousand one hundred and twenty-one dollars (\$49,121.00); and

3. Upon entry of this Order, the Debtor shall immediately make payment to Forecast Danbury in the amount of seventy-nine thousand two hundred seventy-eight dollars and thirty cents (\$79,278.30) representing payment of post-petition Pre-Rejection Period real estate taxes and maintenance obligations.
4. The requirement under Local Bankruptcy Rule 9013-1(G) to file a memorandum of law in connection with the Motion is hereby waived; and
5. The Court shall retain jurisdiction to hear and determine all matters from or related to the implementation of this Order.

Dated: Richmond, Virginia April ____, 2009

Judge Kevin Huennekens
United States Bankruptcy Judge

WE ASK FOR THIS:

FORECAST DANBURY, LP
110 Federal Road
Danbury, Connecticut